



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,713	12/18/2000	Antonio Martinez	10001320-1	9505

7590 09/24/2004
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

GRANT II, JEROME

ART UNIT	PAPER NUMBER
----------	--------------

2626

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/745,713	Applicant(s) MARTINEZ, ANTONIO	
	Examiner Jerome Grant II	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-10 and 12-20 is/are rejected.
- 7) ☒ Claim(s) 6 and 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

JEROME GRANT II
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/16/04</u> | 6) <input type="checkbox"/> Other: ____ |

Art Unit: 2626

Detailed Action

1. Rejection Under Sect. 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention is directed to non-statutory subject matter. Claims 14-18 are directed toward both a method and system. Thus, the claims do not fit any of the statutory categories of this section. Correction is required.

Formal Matters

2. In claim 20, it should read, "... the system of claim 19.."

Art Rejections

3.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2626

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 10 and 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Simpson.

With respect to claim 1, Simpson teaches a computer program product (printer software object 21) for managing a print request for a plurality of e-documents, the product comprising a computer usable medium (windows application 22) having a computer readable instructions: associating the print requests with a job set (see col. 5, line 59- col. 6, line 3; and providing user accessible controls for managing he job set, see col. 6, lines 36-44.

With respect to claims 2 and 15, Simpson teaches instructions for generating an interface screen (window according to col. 6, line 43) with controls for allowing the user to associate the print requests with a new or existing job, see col. 6, lines 36-44.

With respect to claim 3, Simpson teaches printer software object 21 having inherent instructions.

Art Unit: 2626

With respect to claims 4 and 16, See col. 6, lines 39-44 where status of unedited data is shown for the user to edit or modify.

With respect to claims 5 and 17, Simpson teaches user accessible controls for generating an interface screen as claimed. This limitation is inherent with respect to col. 6, lines 41-44 that each job may be edited by the display window to affect editing or modification according to user requests.

With respect to claims 10 and 18, Simpson teaches user accessible controls (col. 6, lines 42-44 comprising instructions for generating an interface (GUI taught at col. 6, lines 35-43) for generating a screen allowing individual management of each of the print jobs, see col. 6, lines 42-45.

With respect to claim 14, Simpson teaches a computer system (printer software using windows application 22) comprising: managing a print request for a plurality of e-documents, the product comprising a computer usable medium (windows application 22) having a computer readable instructions: associating the print requests with a job set (see col. 5, line 59- col. 6, line 3; and providing user accessible controls for managing the job set, see col. 6, lines 36-44.

4.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Rosekrans.

With respect to claim 19, Rosekrans teaches a system (see figures 1 or 2) for managing plural print requests associated with a job set, comprising: one or more client computers (15-n, shown by figure 1); one or more image forming devices (12-n); a queue 43 operative to hold the print requests 42-n; a queue manager 54 operative to administer the print requests within the queue; and user accessible controls 16 and 17 for directing the queue manager to simultaneously administer the print requests in the job set. See col. 3, line 37-4.

With respect to claim 20, the user interface 16 and 17 generates the user accessible controls.

Art Unit: 2626

5.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simpson.

Simpson teaches all of the subject matter upon which the claim depends except for an explicit teaching of simultaneous deleting of print requests.

Simpson teaches a job editing function which are described at col. 4, lines 31-38, col. 5, lines 59-67 and col. 8, lines 10-15. Deleting of print jobs is clearly a job function or would have been understood by one of ordinary skill in the art as a job function.

It would have been obvious, in view of the editing of job functions, as taught by Simpson, that a deleting of jobs simultaneously or in seriatim would have been a recognized function within the meaning of editing functions as described by Simpson.

6.

Claims 8 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simpson over Rosekrans.

Simpson teaches all of the subject matter upon which this claim depends except for an interface screen for controlling the priority of the print requests.

Rosekrans teaches a user interface 16 with screen 17 for changing several priority of job sets by changing their print queues 42-n stored in memory 43.

Since Simpson and Rosekrans are directed toward systems for outputting a printer product, the purpose of changing a printing queue would have been recognized by Simpson as set forth by Rosekrans.

It would have been obvious to one of ordinary skill in the art to modify the apparatus of figure 2 so that it includes a processing network of Rosekrans, including the computer interface, for changing the queue of priority for a plurality of print jobs.

With respect to claim 9, Rosekrans teaches a control (keypad 16) for allowing the user to simultaneously redirect a print request. The motivation for the combination of references is the same as that to claim 8.

7.

Claims Objected

Claims 6 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 703-305-4391. The examiner can normally be reached on Mon.-Fri. from 9:0 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams, can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEROME GRANT II
PRIMARY EXAMINER

J. Grant II